



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider:

1. A General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation canal on the east; a line 30 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 W. Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional; and
2. To rezone the above stated area from R-2, Residential-Commercial Professional; and
3. Certification of a Negative Declaration as adequate environmental documentation on the above projects.

MEETING DATE: May 1, 1996

PREPARED BY: Senior Planner

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider the Planning Commission's recommendation to approve the following:

1. A General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation canal on the east; a line 30 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 W. Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional; and
2. To rezone the above stated area from R-2, Residential-Commercial Professional; and
3. Certification of a Negative Declaration as adequate environmental documentation on the above projects.

BACKGROUND INFORMATION: When this area was annexed to the City in 1993, the City approved the 300-foot strip of R-CP similar to the depth of the office zoning on the south side of Kettleman Lane. The City also felt that a east-west street would be located approximately 300 feet north of Kettleman Lane linking the commercial area to the

APPROVED: _____

H. Dixon Flynn -- City Manager

west with Mills Avenue. The location of the street would provide the separation between the R-CP zone and the R-2, residential zoning to the north.

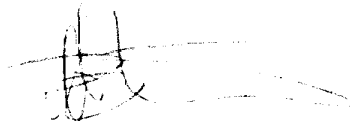
When the Target Center was finally constructed, the design required Tienda Drive to be located further north than what was previously anticipated. Instead of 300 feet north of Kettleman Lane, the street ended up approximately 500 feet north of Kettleman Lane. This meant that when Tienda Drive was extended east to Mills Avenue, there would be a strip of residentially zoned land on the south side of Tienda Drive between Tienda Drive and the R-CP zoning along Kettleman Lane.

Early in 1996, Joe Handel, one of the property owners in this area, made a request to the City for a General Plan amendment and rezoning to redesignate the portion of this property immediately south of Tienda Drive from R-2 to R-CP. This would permit him to develop his entire property between Kettleman Lane and Tienda Drive with a single use. In reviewing this request, the City determined that Mr. Handel's situation was not unique and that all the adjacent properties along the north side of Kettleman Lane between the Target Center and the WID canal had the same situation. It was decided that the City would approach the other property owners to see if they would also be in favor of a similar zoning change. When it was determined that there was interest on the part of other property owners, the City decided to initiate a single General Plan amendment and rezoning encompassing the entire strip between the Target Center and the WID canal.

After reviewing the matter, the Planning Commission recommended approval of the General Plan amendment and rezoning for the following reasons:

- 1) Extending the zone line north to Tienda Drive will allow the property owners to develop their entire property between Kettleman Lane and Tienda Drive with a single land use. It would also allow Tienda Drive to form the buffer between the R-CP zone and the R-2 zone as was originally envisioned.
- 2) Extending the R-CP north to Tienda Drive will allow the uses along Kettleman Lane to have street access onto Tienda Drive. This could become important if CalTrans ever installs a center barrier on Kettleman Lane, restricting left-hand turning movements. If this happened, people could use Mills Avenue or Tienda Drive as an alternate access to the office properties.

FUNDING: None required.

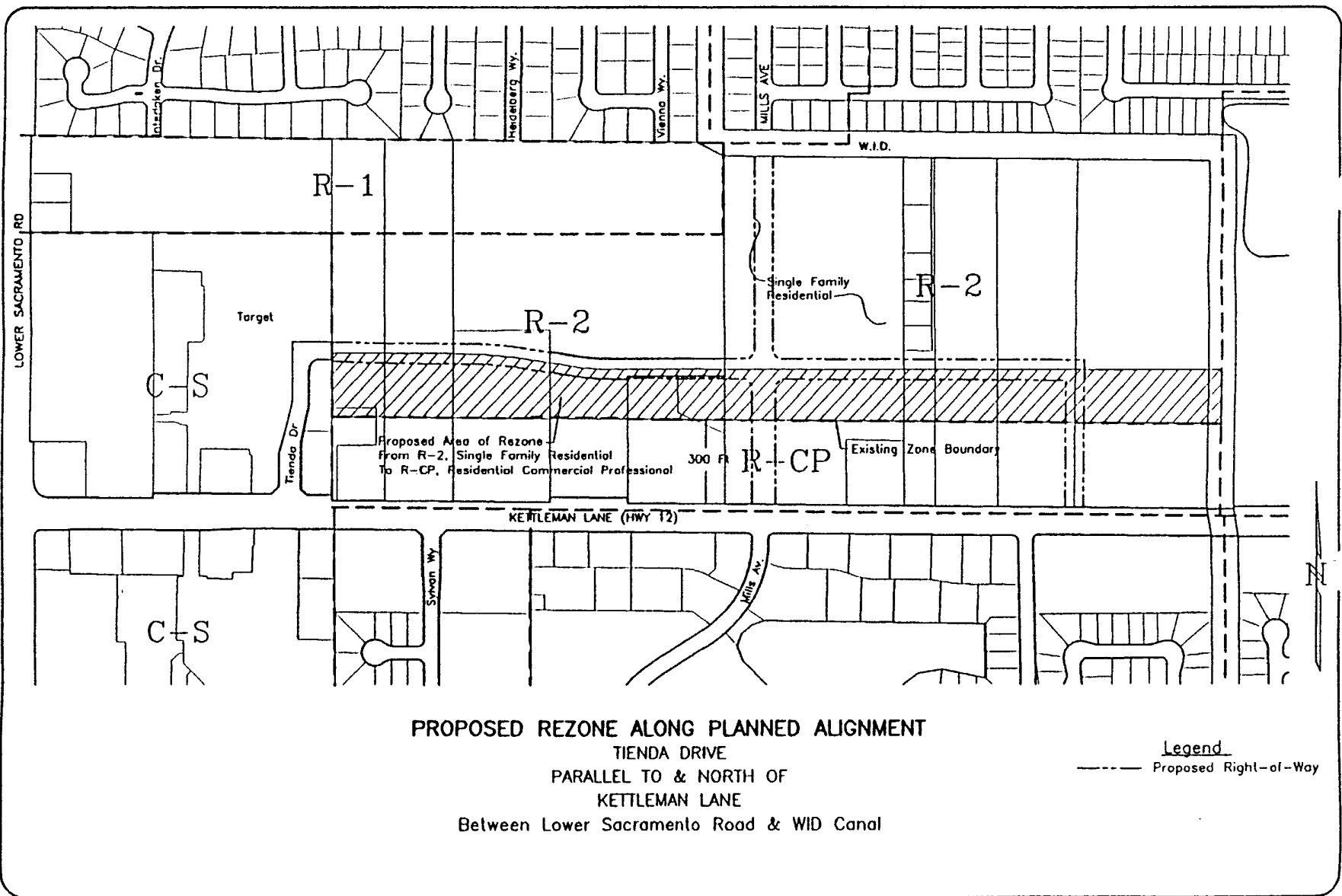


Konradt Bartlam
Community Development Director

Prepared by David Morimoto, Senior Planner

KB/DM/lw

Attachment





CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 1, 1996

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, May 1, 1996** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a continued Public Hearing to consider the following matter:

- a) A General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation District canal on the east; a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 West Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional;
- b) To rezone the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation District canal on the east; a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. 1549 through 2249 West Kettleman Lane) from R-2, Single-Family Residential to RCP, Residential-Commercial-Professional; and
- c) Certification of a Negative Declaration as adequate environmental documentation on the above projects.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

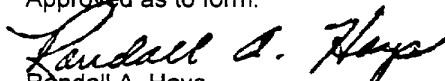
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: April 17, 1996

Approved as to form:


Randall A. Hays
City Attorney



DECLARATION OF MAILING

Continued Public Hearing - General Plan Amendment

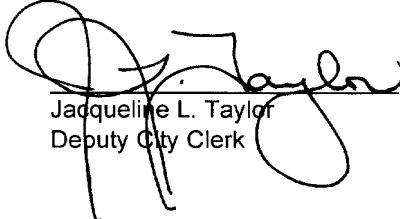
On April 18, 1996 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 18, 1996, at Lodi, California.

Jennifer M. Perrin
City Clerk



Jacqueline L. Taylor
Deputy City Clerk

PUBLIC HEARING LIST

2145 W. Kettlemans Lane PUBLIC

MAILING LIST TOTE:	AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
027-040-16		City of Lodi	P.O. Box 3006	Lodi	93241
027-040-17		Lodi First Nazaren Church	333 W Kellerman Lane	Lodi	93242
027-040-76		Fred & G.C. Baker	317 W Lodi Ave	Lodi	93242
027-040-66		Phyllis Dunscombe	1105 E Hwy 12	Lodi	93242
027-040-65		Reynold Dunscombe	412 Pacific Vista	Modesto	95354
027-040-77		Fred & G.C. Baker	317 W Lodi Ave	Lodi	93242
027-040-75		Church of God	P.O. Box 1718	Lodi	93241
027-040-74		Melvin Helmle	2023 W. Kellerman Ln	Lodi	93242
028-370-02		Wildcat Land Company PIP	2754 Country Club Ct.	SBN	95204
058-160-51		Kellerman II PIP	201 S. Ham Lane Suite A	Lodi	93242
058-160-50		"	"	"	"
058-160-52		Same as above	"	"	"
058-160-46		Same as above	"	"	"
058-160-78		David Michael	P.O. Box 1370	Lodi	93241
058-160-45		Kellerman II PIP	201 S. Ham Lane, Suite A	Lodi	93242
027-040-63		Michael Geor	1620 W. Kellerman Lane	Lodi	93242
027-040-71		Boe Lodi Plaza P LP	100 Sunway #206	Oakland	94621
027-040-29		Target Stores	P.O. Box 1392	Minneapolis, MN	94621
031-040-009		Shizuye Tsutaka Est.	2124 Coe Ln.	Lodi	93242
031-040-20		"	"	"	"
031-040-16		John Bezug	1811 W. Kellerman Ln	Lodi	93240
031-040-01		Oko Nakamura	2985 Northwood Drive	Alameda	94501
031-040-07		O & B Kellerman Partners	1806 W. Kellerman Ln.	Lodi	93241
031-040-15		Joe Battaglia	P.O. Box 47	Lodi	93241
031-040-14		Armingford Rafael	75 Rossi Drive	Galit	93032
031-040-13		John Battaglia	15213 N. Bezug Ln.	Lodi	93242

ORDINANCE NO. 1631

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE LAND USE ELEMENT OF THE LODI GENERAL PLAN
BY REDESIGNATING THE AREA BOUNDED BY THE FUTURE LOCATION
OF TIENDA DRIVE ON THE NORTH; THE WOODBRIDGE IRRIGATION CANAL
ON THE EAST; A LINE 300 FEET NORTH OF WEST KETTLEMAN LANE ON THE
SOUTH AND THE TARGET SHOPPING CENTER ON THE WEST (i.e. PORTIONS
OF 1549 THROUGH 2249 WEST KETTLEMAN LANE) FROM LDR, LOW-
DENSITY RESIDENTIAL TO O, OFFICE INSTITUTIONAL

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Land Use Element of the Lodi General Plan is hereby amended by redesignating the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation District Canal on the east; a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of parcels located at 1549 through 2249 West Kettleman Lane) from LDR, Low Density Residential to O, Office-Institutional, as shown on the Vicinity Map, on file in the office of the Lodi City Clerk.

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of April, 1996

DAVID P. WARNER
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk
State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1631 was introduced at a regular meeting of the City Council of the City of Lodi held April 17, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1996 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1631 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1632

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE AREA BOUNDED BY THE FUTURE LOCATION OF TIENDA DRIVE ON THE NORTH; THE WOODBRIDGE IRRIGATION DISTRICT CANAL ON THE EAST; A LINE 300 FEET NORTH OF WEST KETTLEMAN LANE ON THE SOUTH AND THE TARGET SHOPPING CENTER ON THE WEST, BEING PORTIONS OF THE PARCELS LOCATED AT 1549 THROUGH 2249 WEST KETTLEMAN LANE FROM R-2, SINGLE-FAMILY RESIDENTIAL TO RCP, RESIDENTIAL-COMMERCIAL-PROFESSIONAL WITH A CONDITION RELATING TO SCHOOL FACILITIES FUNDING

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

Portions of parcels located at 1549 through 2249 West Kettleman Lane, the area bounded by the future location of Tienda Drive on the north, the Woodbridge Irrigation District Canal on the east, a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west is hereby rezoned from R-2, Single-Family Residential to RCP, Residential-Commercial-Professional, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with

provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 1996

DAVID P. WARNER
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1632 was introduced at a regular meeting of the City Council of the City of Lodi held April 17, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1996 by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -

I further certify that Ordinance No. 1632 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:

A handwritten signature in cursive script that reads "Randall A. Hays".

RANDALL A. HAYS
City Attorney

RESOLUTION NO. 96-45

A RESOLUTION OF THE LODI CITY COUNCIL
CERTIFYING THE NEGATIVE DECLARATION AS ADEQUATE ENVIRONMENTAL
DOCUMENTATION FOR THE TIENDA DRIVE GENERAL PLAN
AMENDMENT AND REZONE

WHEREAS, public hearings were held by the Planning Commission and City Council on March 11, 1996 and April 17, 1996 respectively, on the following described General Plan Amendment and Rezone:

a) General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation District canal on the east; a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 West Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional.

b) Rezone the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation District canal on the east; a line 300 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 West Kettleman Lane) from R-2, Single-Family Residential to RCP, Residential-Commercial-Professional.

WHEREAS, it is the Planning Commission recommendation that City Council approve their finding that the Negative Declaration is adequate environmental documentation; and

WHEREAS, the City Council has reviewed all documentation and hereby certifies the Negative Declaration as adequate environmental documentation for the above-mentioned General Plan Amendment and Rezone.

Dated: May 1, 1996

I hereby certify that Resolution No. 96-45 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 1, 1996, by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider:

1. A General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation canal on the east; a line 30 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 W. Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional; and
2. To rezone the above stated area from R-2, Residential-Commercial Professional; and
3. Certification of a Negative Declaration as adequate environmental documentation on the above projects.

MEETING DATE: April 17, 1996

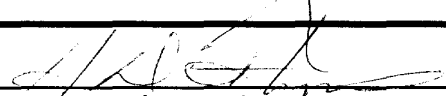
PREPARED BY: Senior Planner

RECOMMENDED ACTION: That the City Council conduct a public hearing to consider the Planning Commission's recommendation to approve the following:

1. A General Plan Amendment to redesignate the area bounded by the future location of Tienda Drive on the north; the Woodbridge Irrigation canal on the east; a line 30 feet north of West Kettleman Lane on the south and the Target Shopping Center on the west (i.e. portions of 1549 through 2249 W. Kettleman Lane) from LDR, Low-Density Residential to O, Office-Institutional; and
2. To rezone the above stated area from R-2, Residential-Commercial Professional; and
3. Certification of a Negative Declaration as adequate environmental documentation on the above projects.

BACKGROUND INFORMATION: When this area was annexed to the City in 1993, the City approved the 300-foot strip of R-CP similar to the depth of the office zoning on the south side of Kettleman Lane. The City also felt that a east-west street would be located approximately 300 feet north of Kettleman Lane linking the commercial area to the

APPROVED:


H. Dixon Flynn -- City Manager

west with Mills Avenue. The location of the street would provide the separation between the R-CP zone and the R-2, residential zoning to the north.

When the Target Center was finally constructed, the design required Tienda Drive to be located further north than what was previously anticipated. Instead of 300 feet north of Kettleman Lane, the street ended up approximately 500 feet north of Kettleman Lane. This meant that when Tienda Drive was extended east to Mills Avenue, there would be a strip of residentially zoned land on the south side of Tienda Drive between Tienda Drive and the R-CP zoning along Kettleman Lane.

Early in 1996, Joe Handel, one of the property owners in this area, made a request to the City for a General Plan amendment and rezoning to redesignate the portion of this property immediately south of Tienda Drive from R-2 to R-CP. This would permit him to develop his entire property between Kettleman Lane and Tienda Drive with a single use. In reviewing this request, the City determined that Mr. Handel's situation was not unique and that all the adjacent properties along the north side of Kettleman Lane between the Target Center and the WID canal had the same situation. It was decided that the City would approach the other property owners to see if they would also be in favor of a similar zoning change. When it was determined that there was interest on the part of other property owners, the City decided to initiate a single General Plan amendment and rezoning encompassing the entire strip between the Target Center and the WID canal.

After reviewing the matter, the Planning Commission recommended approval of the General Plan amendment and rezoning for the following reasons:

- 1) Extending the zone line north to Tienda Drive will allow the property owners to develop their entire property between Kettleman Lane and Tienda Drive with a single land use. It would also allow Tienda Drive to form the buffer between the R-CP zone and the R-2 zone as was originally envisioned.
- 2) Extending the R-CP north to Tienda Drive will allow the uses along Kettleman Lane to have street access onto Tienda Drive. This could become important if CalTrans ever installs a center barrier on Kettleman Lane, restricting left-hand turning movements. If this happened, people could use Mills Avenue or Tienda Drive as an alternate access to the office properties.

FUNDING: None required.

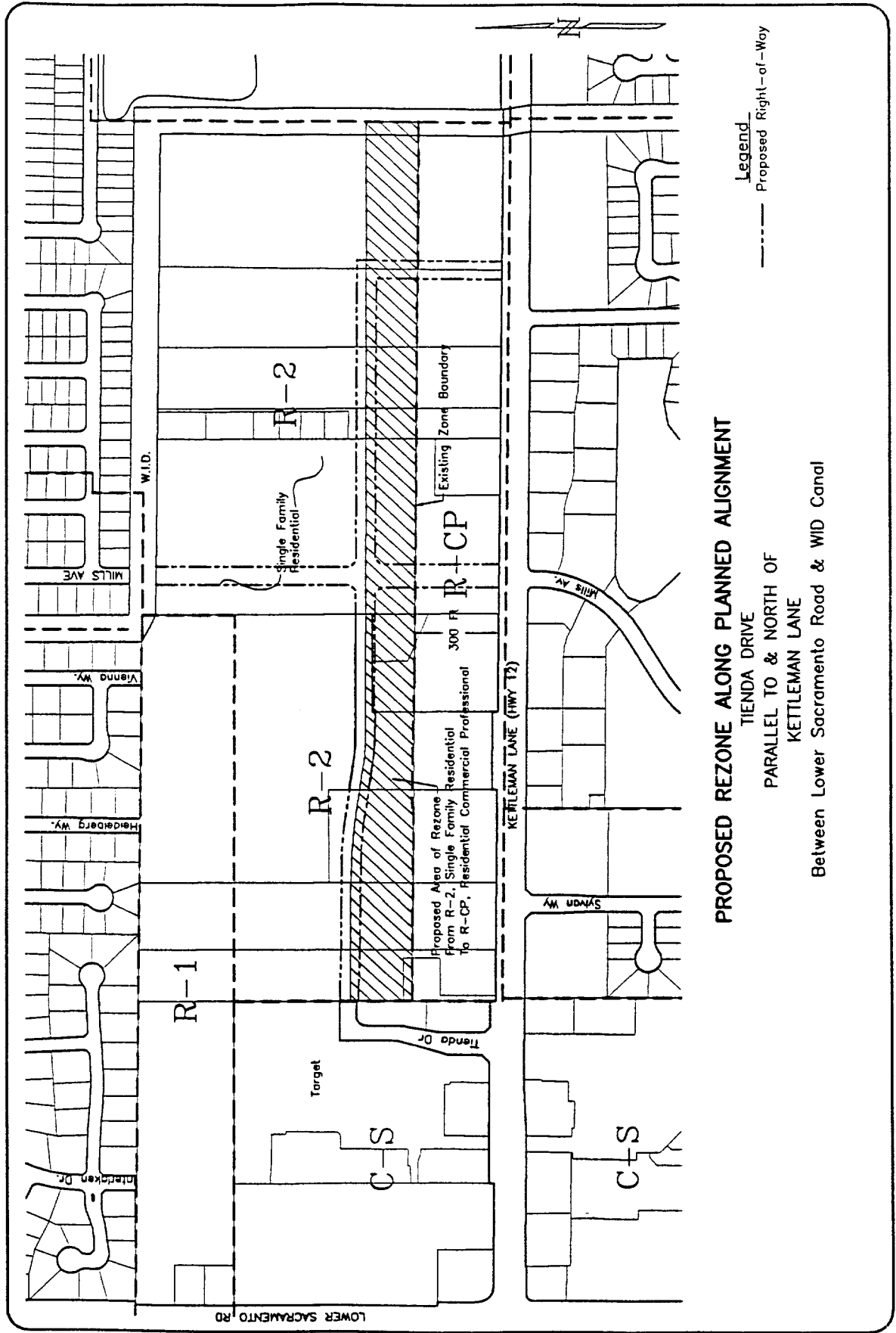


Konradt Bartlam
Community Development Director

Prepared by David Morimoto, Senior Planner

KB/DM/lw

Attachment



PROPOSED REZONE ALONG PLANNED ALIGNMENT

TIENDA DRIVE
 PARALLEL TO & NORTH OF
 KETTLEMAN LANE
 Between Lower Sacramento Road & WID Canal

Legend
 ----- Proposed Right-of-Way